

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK**

JUDGMENT IN A CIVIL CASE

Marcus Myers

VS.

CASE NUMBER: 9:05-cv-1448

Karen Johns and Ms. Harder

Decision by Court. This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

IT IS ORDERED AND ADJUDGED that Magistrate Judge DiBianco's Report-Recommendation is adopted in its entirety; Defendants' Motion for Summary Judgment is granted; and Plaintiff's complaint is dismissed.

All of the above pursuant to the order of the Honorable Judge Glenn T. Suddaby, dated the 4th day of December, 2008.

DATED: December 4, 2008


Clerk of Court

/s

L. Welch
Deputy Clerk